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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,173	08/09/2001	Shigeo Nanno	81800.0164	4657
26021	7590	01/04/2005		
HOGAN & HARTSON L.L.P. 500 S. GRAND AVENUE SUITE 1900 LOS ANGELES, CA 90071-2611			EXAMINER BAKER, CHARLOTTE M	
			ART UNIT 2626	PAPER NUMBER

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/927,173

Applicant(s)

NANNO, SHIGEO

Examiner

Charlotte M Baker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 08/09/2001.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. (5,991,592).

**Regarding claim 1:** Kobayashi et al. disclose a document stacking tray (document tray 10) for stacking a set of documents (col. 4, ln. 35-46); a document separating/feeding unit (document separator/feeder unit 20) for separating the set of documents and feeding the documents one by one from the uppermost document thereof (col. 4, ln. 62-67 through col. 5, ln. 1-7); an image reading unit (image reading unit 70) for reading the image data on the first side of the document passing the image reading position (image reading position 71); a document inverting unit (document inverting unit 60) for inverting the document feeding direction to read the image data on the second side of the document which passes the image reading position after the reading of the first side has been completed (col. 5, ln. 36-39 and col. 6, ln. 5-8 and col. 10, ln. 36-41); a document discharging unit (discharge tray 80) for piling up the documents on the document discharging tray after the front and reverse side of the document of which both sides have been

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read is reversed, with the document not passing on the image reading position (col. 7, ln. 32-40); a first transporting path (first transport path 31) for guiding the document from the document separating/feeding unit to the image reading position (col. 5, ln. 8-16); a second transporting path for guiding the document from the said image reading position to the document inverting unit (col. 5, ln. 22-39); a third transporting path for guiding the document from the said document inverting unit to the first intersecting point of the first transporting path and from this first intersecting point to the said image reading position (col. 6, ln. 43-53); a fourth transporting path for guiding the document from the second intersecting point in the midst of the said third transporting path to the said document discharging unit (col. 7, ln. 13-31); a switching member employed in the said intersecting point which switches the document feeding path from the said document inverting unit to the third transporting path or the fourth transporting path from this intersecting point (col. 7, ln. 41-51).

**Regarding claim 2:** Kobayashi et al. satisfy all the elements of claim 1. Kobayashi et al.

further disclose employs the said intersecting point between the document edge position which becomes the upper end when the feeding direction is reversed toward the scanning unit again after the reading of the first side is completed, and the document edge position which becomes the upper end when the feeding direction is reversed toward the discharging unit after the reading of the second side of the document is completed (col. 9, ln. 14-20).

**Regarding claim 3:** Kobayashi et al. satisfy all the elements of claim 2. Kobayashi et al.

further disclose wherein the flexible switching member is impelled at the said intersecting point for feeding the document to the fourth transporting path (col. 7, ln. 41-53).

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**Regarding claim 4:** Kobayashi et al. satisfy all the elements of claim 1. Kobayashi et al.

further disclose wherein the said document inverting unit and the said document discharging unit are comprised of three rollers neighboring one another (col. 5, ln. 36-39 and col. 7, ln. 24-31).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi et al. in view of Takida et al. (6,618,575).

**Regarding claim 5:** Kobayashi et al. satisfies all the elements of claim 2.

However, Kobayashi et al. fails to specifically address a resist member to correct the skew of the document.

Takida et al. discloses a resist member (resisting roller 18) to correct the skew of the document (col. 7, ln. 14-25). Since Kobayashi et al. and Takida et al. are both directed toward a document scanning process and means, the purpose of providing a resist member would have been obvious over Kobayashi et al. in view of Takida et al.

It would have been obvious to a person of ordinary skill in the art at the time of invention to install a resist member in the transport path 32 between the upper roller pair 53, 54 and the lower roller pair 55, 56 to correct the skew of the document in order to prevent an image read in an image reader from being distorted as suggested by Takida et al. (col. 2, ln. 37-41).


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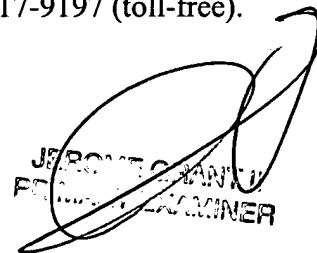
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M Baker whose telephone number is (703) 306-3456. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
cmb

  
JEROME CHAN  
PATENT EXAMINER